

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Jarmo Kussinen CONF. NO. 5237  
SERIAL NO.: 10/036,215 ART UNIT: 2619  
FILING DATE: 12/28/2001 EXAMINER: Steven H D Nguyen  
TITLE: DETERMINATION OF BIT RATE  
ATTORNEY  
DOCKET NO.: 836-010815-US(PAR)

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FIFTH AMENDMENT AFTER FINAL**

**I. INTRODUCTION**

This is in response to the Advisory Action mailed 29 January 2009 and the Office Action mailed September 15, 2008. Reconsideration of the rejection of the claims is respectfully solicited in light of the following amendment and remarks.

Please amend the Application as follows: